

SWANSIGER, which nominations were received by the Senate and appeared in the Congressional Record of October 31, 2011.

PN1098 ARMY nomination of Serafina Saula, which was received by the Senate and appeared in the Congressional Record of November 1, 2011.

PN1099 ARMY nominations (2) beginning TERRY L. CLARK, and ending DARRON T. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2011.

PN1100 ARMY nominations (3) beginning DAVID BUTLER, and ending TIMOTHY W. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2011.

PN1101 ARMY nominations (3) beginning RANDALL D. ISOM, and ending MICHAEL A. MITCHELL, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2011.

PN1102 ARMY nominations (5) beginning JOSEPH C. BARKER, and ending JAMES W. RING, which nominations were received by the Senate and appeared in the Congressional Record of November 1, 2011.

#### IN THE NAVY

PN996 NAVY nomination of Paul E. Ware, which was received by the Senate and appeared in the Congressional Record of September 26, 2011.

PN997 NAVY nomination of Stephen A. Tankersley, which was received by the Senate and appeared in the Congressional Record of September 26, 2011.

PN1016 NAVY nomination of William B. Carter, which was received by the Senate and appeared in the Congressional Record of October 5, 2011.

PN1017 NAVY nomination of Judith A. Ciesla, which was received by the Senate and appeared in the Congressional Record of October 5, 2011.

PN1035 NAVY nominations (2) beginning Ben D. Ramaley, and ending Bernhard Zunkeler, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 2011.

PN1045 NAVY nomination of David S. Fuchs, Jr., which was received by the Senate and appeared in the Congressional Record of October 12, 2011.

PN1046 NAVY nominations (3) beginning DANIEL J. TRAUB, and ending WILLIAM N. SOLOMON, which nominations were received by the Senate and appeared in the Congressional Record of October 12, 2011.

PN1103 NAVY nomination of Matthew J. Powers, which was received by the Senate and appeared in the Congressional Record of November 1, 2011.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Ms. CANTWELL. Mr. President, I ask unanimous consent that on Tuesday, November 15, 2011, at 11 a.m., the Senate proceed to executive session to consider the following nominations: Calendar No. 354 and Calendar No. 355; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the mo-

tions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AUTHORIZING CONVEYANCE OF NOAA PROPERTY TO CITY OF PASCAGOULA, MISSISSIPPI

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 226, S. 363.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 363) to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Wicker amendment at the desk be agreed to; the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 942) was agreed to, as follows:

Beginning on page 4, strike line 6, after "able", through line 11 and insert the following: "to the Secretary, subject to appropriation, for activities related to the operations of, or capital improvements to, property of the Administration."

The bill (S. 363), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

#### S. 363

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXCHANGE OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION PROPERTY IN PASCAGOULA, MISSISSIPPI.

(a) IN GENERAL.—Notwithstanding any other provision of law, if the Secretary of Commerce determines that it is in the best interest of the National Oceanic and Atmospheric Administration and the Federal Government to do so, the Secretary may convey to the City of Pascagoula, Mississippi, by standard quitclaim deed, real property consisting of parcels, or portions of parcels, under the administrative jurisdiction of the Under Secretary for Oceans and Atmosphere, including land and improvements thereon, within a tract roughly bounded by—

- (1) Delmas Avenue to the south;
- (2) Pascagoula River to the west;
- (3) Pol Street to the north; and
- (4) real property owned by the City of Pascagoula to the east.

#### (b) CONSIDERATION.—

(1) IN GENERAL.—For a conveyance under subsection (a), the Secretary shall require

that the United States receive consideration of not less than the fair market value of the property or rights conveyed.

(2) FORM.—Consideration under this subsection may include any combination of—

(A) property (either real or personal), including tracts of real property and buildings, owned by the City of Pascagoula, that are located in such city south of Delmas Avenue, as well as a contiguous portion of the street known as Delmas Avenue adjacent to real property under the administrative jurisdiction of the Under Secretary for Oceans and Atmosphere;

(B) cash or cash equivalents; and

(C) consideration in-kind, including—

(i) provision of space, goods, or services of benefit, including construction, repair, remodeling, or other physical improvements;

(ii) maintenance of property;

(iii) provision of office, storage, or other useable space; or

(iv) relocation services associated with conveyance of property under this section.

(3) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine fair market value for purposes of paragraph (1) based on a highest- and best-use appraisal of the properties conveyed under subsection (a) conducted in conformance with the Uniform Appraisal Standards for Professional Appraisal Practice.

(c) USE OF PROCEEDS.—Any amounts received under subsection (b)(2)(A) by the United States as proceeds of any conveyance under this section shall be available to the Secretary, subject to appropriation, for activities related to the operations of, or capital improvements to, property of the Administration.

#### (d) ADDITIONAL TERMS AND CONDITIONS.—

(1) IN GENERAL.—The Secretary may require such additional terms and conditions with the exchange of property by the United States under subsection (a) as the Secretary considers appropriate to protect the interest of the United States.

(2) EASEMENTS OR RIGHTS OF WAY.—The Secretary may grant or convey to the City of Pascagoula a right of way or easement if the Secretary determines such grant or conveyance is in the best interest of the Administration and the Federal Government.

#### AMENDING THE IMMIGRATION AND NATIONALITY ACT

Ms. CANTWELL. I ask unanimous consent that the Judiciary Committee be discharged from the further consideration of H.R. 398, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 398) to amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and for other purposes.

Ms. CANTWELL. I ask unanimous consent that the bill be read a third time and the Senate now proceed to a vote on the passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on third reading and passage of the bill.

The bill (H.R. 398) was read the third time and passed.

Ms. CANTWELL. Mr. President, I ask unanimous consent the motion to reconsider be laid on the table, with no